

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

DAVID DANIELS

PLAINTIFF

v.

Civil No. 06-5205

SHERIFF KEITH FERGUSON;  
CAPTAIN PETRAY; LT. CARTER;  
and SGT. NANCE

DEFENDANTS

ORDER

David Daniels, currently an inmate of the Benton County Detention Center, has submitted for filing in this district a pro se civil rights action under 42 U.S.C. § 1983. We find the complaint should be provisionally filed prior to a determination regarding plaintiff's status as a pauper and service of process. The United States District Clerk is directed to file the complaint.

With his complaint, plaintiff submitted an *in forma pauperis* (IFP) application. However, he submitted only the first page of the application and did not submit the second page which included the certification regarding inmate funds held in his name. For this reason, the IFP application is being returned to him. Plaintiff is given until **November 13, 2006**, to either submit a completed IFP application and return the application to this court for review and filing or pay the \$350 filing fee. **If the plaintiff fails to return the completed IFP application or pay the \$350 filing fee by November 13, 2006, the complaint will become subject to summary dismissal for failure to obey an order of the court.**

IT IS SO ORDERED this 16th day of October 2006.

U.S. DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FILED

*Beverly Stites Jones*  
HON. BEVERLY STITES JONES  
UNITED STATES MAGISTRATE JUDGE

OCT 16 2006

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CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK